

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
BOSTON DIVISION**

Musket Research Associates, Inc.,

Plaintiff,

v.

Ovion, Inc.,
William S. Tremulis, and
Jeffrey P. Callister,

Defendants.

Case No. 05-10416 MEL

Ovion, Inc.,

Counterclaimant,

v.

Musket Research Associates, Inc.,
David B. Musket, and
Sue Ann Latterman,

Counterdefendants.

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, Defendants hereby submit Defendants' Motion For Summary Judgment. Defendants also submit herewith Defendants' Motion For Summary Judgment In Support Of Summary Judgment Motion and Defendants' Statement Of Material Facts As To Which There Is No Genuine Dispute, Pursuant to L.R. 56.1. Exhibits A-G are attached to Defendants' Statement Of Material Facts. Exhibit G is the affidavit of William S. Tremulis, one of the Defendants.


For the reasons set forth in *Defendants' Memorandum*, Defendants move for summary each against each cause of action asserted by Plaintiff in this action.

REQUEST FOR ORAL ARUGMENT

Pursuant to Local Rule 7.1(d), Defendants request oral argument on this motion.

Respectfully submitted,

Dated: January 27, 2006

By 
Leland G. Hansen
Christopher V. Carani
McANDREWS, HELD & MALLOY, LTD.
500 W. Madison Street, 34th Floor
Chicago, Illinois 60661
(312) 775-8000 (telephone)
(312) 775-8100 (facsimile)

Dale A. Malone (BBO #552376)
BANNER & WITCOFF, LTD.
28 State Street, 28th Floor
Boston, Massachusetts 02109
Telephone: (617) 720-9600
Facsimile: (617) 720-9601

*Attorneys for Defendant and Counterclaimant
Ovion, Inc. and Defendants William S. Tremulis
and Jeffrey P. Callister.*

Certificate of Service

I hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF), on January 27, 2006.

Date: January 27, 2006

By: Christopher V. Carani
Christopher V. Carani